

# In the Supreme Court of the State of Alaska

**Richard Green,**

Petitioner,

v.

**Phoung Dinh Green,**

Respondent.

Supreme Court No. **S-18078**

## **Order**

Petition for Review

Date of Order: **6/2/2021**

Trial Court Case No. **3PA-20-00594CI**

Before: Bolger, Chief Justice, Winfree, Maassen, Carney, and  
Borghesan, Justices

Richard L. Green has lodged a petition for review of the superior court's denial of his requested short-term domestic violence protective order against his wife in the underlying case.<sup>1</sup> Proceedings on his requested long-term protective order are ongoing in the superior court. Along with Mr. Green's petition for review, he has filed a number of motions.

A petition for review is a procedure for a party to seek review of a trial court order while the trial court still has jurisdiction over the relevant proceedings, instead of waiting to file an appeal after the trial court proceedings result in a final judgment. The underpinning of the petition for review framework is that unusual and compelling circumstances that would cause this court to intervene and take up such review even though it likely will delay the underlying proceedings. The appellate rules

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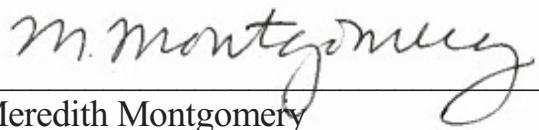
<sup>1</sup> Mr. Green also sought review of the superior court's denial of his request for a long-term protective order against his wife on behalf of his children in Superior Court Cases 3PA-20-00595/596/597/598. Because that superior court order was a final judgment, appellate review must be by direct appeal. A separate supreme court file, S-18080, has been opened for that appeal. This order has no effect on the proceedings in S-18080.

provide a framework for deciding whether to grant a petition for review, which is entirely discretionary on this court's part. In other words, a party has no automatic or absolute right to appellate review under the petition for review framework.

We have considered the substance of Mr. Green's petition for review and his related motions. We conclude that this provides us sufficient information to decide whether to grant review of the March 9 order, and we do not need to see responses from the other parties about the merits of Mr. Green's motions or petition for review. Based on Mr. Green's petition for review and the related motions, and taking into account that proceedings on Mr. Green's request for a long-term protective order are on-going, the petition for review is **DENIED** and the accompanying motions are **DENIED** as moot.

Entered at the direction of the full court.

Clerk of the Appellate Courts

  
Meredith Montgomery

cc: Judge Kristiansen  
Trial Court Clerk - Palmer

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